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3 BRIAN J. STRETCH (CABN 163973)
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12 Submitting Counsel are directed
13 to serve this order upon all other
14 parties in this action

15 **FILED**

16 **MAY 8 2008**

17 Attorneys for Plaintiff

18
19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA
21 SAN FRANCISCO DIVISION

22 UNITED STATES OF AMERICA,) No. CR 04-0316 SI

23 Plaintiff,) NOTICE OF DISMISSAL

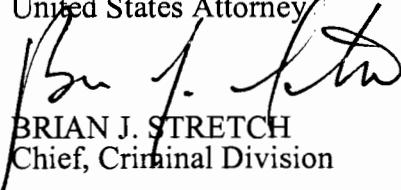
24 v.)
25 DONALD FITZPATRICK,) (San Francisco Venue)
26 Defendant.)

27 With leave of the Court, and pursuant to Federal Rule of Criminal Procedure 48(a), the
28 United States Attorney for the Northern District of California dismisses the above indictment
without prejudice and moves that the Court quash the arrest warrant issued in connection with
the indictment in this case.

29 DATED: 5 - 6 - 08

30 Respectfully submitted,

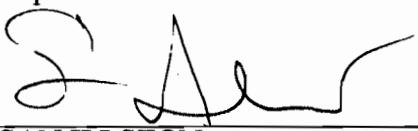
31 JOSEPH P. RUSSONIELLO
32 United States Attorney

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34 BRIAN J. STRETCH
35 Chief, Criminal Division

1 Leave is granted to the government to dismiss the indictment. It is further ordered that the
2 arrest warrant issued in connection with the indictment is quashed.

3 Date: 5/8/08

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SUSAN ILLSTON
United States District Judge

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